

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-349

July 30, 1999

CENTRAL MAINE POWER COMPANY
Request for Approval of RFB Pursuant
To Chapter 307(6)(B)(3)

ORDER GRANTING
EXTENSION

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

We grant Central Maine Power Company (CMP) an extension to divest, after March 1, 2000, the capacity, energy and transmission rights under the Hydro-Quebec Use Agreements and the Phase I and Phase II Support Agreements.

Pursuant to 35-A M.R.S.A. § 3204(1), CMP's interests in the Hydro-Quebec Phase I and Phase II projects and agreements constitute generation-related assets which must be divested by March 1, 2000. CMP included its entitlements to Hydro-Quebec power within the bid process that constituted its divestiture plan. In Docket No. 98-058, we found CMP's decision to reject all bids for the entitlements to Hydro Quebec power to be reasonable. Now in this docket, CMP seeks an extension of the divestiture requirement of its Hydro-Quebec generation assets. CMP will include the capacity and energy associated with the Hydro Quebec generation asset in its request for bids of QF and nuclear power.

When the Commission found the rejection of all the divestiture bids of the Hydro-Quebec generation assets to be reasonable, it was assumed by the Commission and parties that CMP would seek and obtain an extension to divest its Hydro-Quebec-related generation assets, and sell the output from its entitlement as part of the QF and nuclear output auction.

In this docket, CMP requests a "permanent" extension of the requirement to divest all Hydro-Quebec assets. There appear to be neither grounds nor need for a "permanent" extension. CMP will sell the capacity and energy from its Hydro-Quebec assets as part of the auction process approved in this docket for the remaining term of HQ energy contract. It seems prudent to re-examine the necessity of extending the divestiture requirement of the Hydro-Quebec assets upon the completion of the contract that results from the RFB process approved in this docket. Accordingly, we grant Central Maine Power Company an extension of the requirement to divest its

Hydro-Quebec-related generation assets through the remaining term of the HQ contract.

Dated at Augusta, Maine, this 30th day of July, 1999.

BY ORDER OF THE COMMISSION

Raymond J. Robichaud
Assistant Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.